

March 2, 2000

Mr. William Kennard
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Dear Mr. Kennard,

We are writing on behalf of the Board of Directors of the Greater Boston Chapter of the National Organization for Women (NOW) to express our concern for the current use of the public airwaves. When Congress gave away the digital spectrum to the major media broadcasters for free, it put a condition on its gift: that the broadcasters use these airwaves to "serve the public interest." However, currently there is no definition of what the terms "in the public interest" mean. In absence of a clear definition from the FCC, the major broadcasters have defined these terms and what constitutes compliance with Congress' mandate for themselves. Because Greater Boston NOW is passionate about regaining true community use of public airwaves, interns and activists monitored locally produced programming and visited local television stations in order to determine whether these stations are fulfilling this commitment.

Unfortunately, the results did not demonstrate that the broadcasters are fulfilling their commitment. Although our researchers were pleased with some of their findings, they found many areas in which these stations could make better use of their public airwaves. Particularly, our researchers found that broadcasters:

- * Failed to fairly represent women and minorities in their programs.
- * Broadcast local programming that did not always focus on local issues and concerns and was almost never positive in content
- * Lacked truly truly educational programming.
- * Had almost no programming for children under six.
- * Offered only a few shows for children between the ages of six and eleven.
- * Claimed to satisfy their "public interest" requirement with offerings of short, two to three minute shows.
- * Perpetrated stereotypes of women and racial minorities.
- * Did not adequately respond to viewers.

We at NOW believe that in exchange for free use of new digital technology,

broadcasters should, as promised, provide us with programming that "serve[s] the public interest, convenience, and necessity." This includes offering "public interest" programs comparable in length and depth to the sit-coms, dramas, and cartoons that are offered, instead of the current length and depth that is more comparable to the average commercial. It also includes better compliance with the Children's Television Act and an end to racial and sex stereotyping in the shows offered.

Only with clearer guidelines can the public truly be guaranteed that the airwaves, its property, will be used in its interests. Therefore, we urge the FCC to immediately begin rule-making sessions to determine the public interest obligations of broadcasters. Further, we encourage you to utilize the recommendations for these guidelines that People for a Better TV has offered as you begin this process (see attached).

Thank you for your consideration.

Sincerely,

The Greater Boston NOW Board
Andrea Lee, President
Rebecca Pontikes
Toni Troop
Vivienne Esrig
Jo Trigilio
Judith Gondelman
Constance Kowtna
Jeanette Mihalek
Sharon Winston
Jen Alt
Bonnie Mulliken
Cortney Harding

Date: Thu, 02 Mar 2000

From: Natalie Gallant <ngallant@bu.edu>

March 2, 2000

William Kennard, Chair
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Dear Mr. Kennard,

I believe that television is unique in its potential to educate and inform, its potential to add to the overall health of our society. I also believe that television plays an integral role in the propagation of many potentially harmful cultural norms and beliefs, including limiting gender roles and racial and ethnic stereotypes. One gauge for measuring television's contribution to the public interest is the public file that each broadcasting station is required to maintain.

As an advocate for women's rights and a concerned citizen, I decided to examine the public file of ABC Channel 5 in its Needham, Massachusetts office. I arrived at the office at approximately 1:30 on Thursday, February 24. Myself and a fellow activist were shown to a receptionist at the front desk and told her that we wished to view the public file, knowing that we had the right to see this file without an appointment during any working day.

After some confusion, the receptionist called in a station employee who showed us to a group of files containing information about political candidates. We explained that we wanted to view the files that contained information about public interest programming. This explanation was met with more confusion on the part of several station employees. Finally, after much discussion with his fellow workers, the employee showed us back out to the waiting room and told us to wait there. Approximately fifteen minutes later, he returned to tell us that the person who maintained the public files was away and her assistant was out -- we would not be able to view them that day. He gave us the contact information for the aforementioned employees and sent us on our way.

I was disappointed in the reception that my companion and I recieved at ABC Channel 5. Expecting to have free and easy access to files maintained specifically for public view, we were met with disorganization, confusion, and inconvenience. The employees and receptionist were not able to sufficiently recognize our request even when we produced an FCC document mandating open access to the public files.

One way to ensure that television is truly used in the public interest is to require a rigorous standard of accountability of broadcasters. I respectfully request that digital broadcasters be required to disclose their public interest programming on a regular basis and in comprehensible form. I also request that broadcasters be required to regularly report to the public on their efforts to reflect the racial and ethnic diversity of the United States.

I hope that the Federal Communications Commission will work with the citizens of this country to ensure that television is used to improve, and not weaken, the foundations of equality upon which our nation rests.

Sincerely,

Catherine Bell
National Organization for Women
Somerville, MA

Date: Fri, 03 Mar 2000 19:05:10 -0500

From: Natalie Gallant <ngallant@bu.edu>

William Kennard, Chair
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Dear Mr. Kennard,

I recently visited WCVB television station in Boston, Massachusetts. It is an ABC station located at 5 TV Pl., Needham Branch, MA, 02494. The purpose of my visit was to examine the public file as a consumer and an activist for the National Organization for Women. I am writing to report on the state of programming in the Boston area.

The people of this area are concerned that local television does not reflect either the great diversity or the concerns of the community.

When I visited the station I called ahead to make sure that I would have access to the file, yet when I arrived the receptionist denied any such call. After several minutes I and another activist were shown into an office and asked to sign a 'statement of access' before we saw the file.

I examined e-mail and mail files for the station and found a number of complaints saying that the station had trivialized the issue of domestic violence and restraining orders in a news broadcast. As a woman and activist for NOW, this concerns me greatly. Domestic violence is one of many issues that the community could be educated about through local television. For such an influential media force to trivialize this issue is simply wrong.

Also in the public files was an issues program list, detailing network and local programming devoted to issues of concern for the community. These programs covered a vast range of issues, including local news, crime and public safety, economics, taxation and the cost of living, children, youth, and family, health and human services, social justice, and urban environment. I applaud WCVB for their efforts at covering these issues, but the absence of a file for women's issues or gay and lesbian issues means that there are still important stories that aren't being covered here.

The rest of the public file was divided into six sections, including an FCC file on children's programming with education content, commercial compliance certificates, non-broadcast community outreach, information for children's website pages, a log of local children's report slots, and a log of all Saturday programming schedules. WCVB is complying with current FCC rules, but it is my contention that these rules are not enough.

The airwaves belong to all of us. The FCC has the power to ensure that our public airwaves are being used in our best interest. I would like to suggest that you hold public rule-making sessions so that I and other community members can have a chance to help you to know what we find in our interest.

Sincerely,

Pilar Dellano
National Organization for Women
Boston, MA

February 25, 2000

William Kennard, Chair
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Dear Mr. Kennard:

I am a concerned citizen writing about the lack of positive images of women and people of color on television. It is to my understanding that on May 1, 1999, television broadcasters in major cities across the United States began implementing the use of digital television signals. I am interested to find out what responsibilities broadcasters will be required to assume in exchange for the free use of our airwaves.

I was recently watching Chronicle, a local program on ABC (Channel 5) at 7:30 pm on February 10, 2000. It ran for half an hour. There were approximately 4 commercials between every story. All three of the program's segments dealt with brutal murder to some degree. This program did not consult one female when interviews were shown with professionals, doctors, or police officers. In fact, all of the interviews were with white men. I feel this program does not accurately portray the variety of professional positions that women and people of color hold in our society. But this is not surprising, given that, "87 % of the guests on Sunday public affairs programs are males." This is why I feel it is necessary to issue guidelines for television stations--because on their own, these stations continue to perpetuate the stereotype that the only experts are white men.

Myself and fellow television viewers have urged you to begin holding public rule-making sessions so we can let our voices be heard concerning public interest obligations, specifically women's access to and images in the media. The airwaves, a public resource that we have simply given away, are valuable and I expect some accountability from those who are using them.

Sincerely,

Lauren Fogarty
National Organization for Women
Boston, Massachusetts

February 29, 2000

William Kennard, Chair
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Dear Mr. Kennard,

I am a NOW activist, a television viewer, and a concerned citizen. I am well aware that the 1996 Telecommunications Act gave television stations access to digital technology to broadcast over public airwaves as long as they "serve the public interest, convenience and necessity." However, I am not at all clear on what the definition of these terms are. I have also not heard of any hearings scheduled to discuss guidelines of this requirement. This, as far as I can tell, leaves broadcasters in charge of deciding what is in the public interest. It does not seem fair to me that such important intricacies be left to profit-driven corporations, most of which are now parts of major media conglomerates.

Curious as to what one of these stations considers a fulfillment of these guidelines, I visited NBC (channel 7) to examine its public record. At about noon on February 28, 2000, a fellow NOW volunteer and I went to the station located at 7 Bullfinch Place in Boston.

We viewed the fourth quarter reports for 1999 that listed children's programs, public service announcements and other broadcasts that were geared toward "community needs and interests." We also examined a file that contained viewer responses.

The staff was friendly and seemed eager to help, however no one in the offices that surrounded the room where the file was kept seemed to know very much about the record. For example, there were check marks on about half of the viewer responses in the file. When we inquired what they meant, three people had to be asked in order to find the answer--that the check marks were an indication that the letters had been answered. This lead me to wonder why only half of the letters had been checked.

There was also some content in the file that I found particularly noteworthy. In the report for children's programming, it was interesting to see that there was no programming listed for children under the age of six. In fact, there was only one program, "Awesome Adventures," listed for children under the age of eleven. Incidentally, "Awesome Adventures" was the only show that adhered to the limited number of commercials allowed by the Children's Television Act of 1990. The other shows described as children's programs all targeted ages thirteen through sixteen and therefore were not subject to these guidelines.

Also contained in this report was a list of programs that were considered educational and for a general audience. It astounded me that there were only two programs listed for October through December. This was a total of only three hours in three months! I found it even more surprising that one of the three hours counted as educational was an episode of the comedy/drama program called "Freaks and Geeks." It is difficult for me to understand how one third of the educational programming listed on a station's quarterly report is a show about teens having a keg party. Though the show may be entertaining and this particular episode did send a moral message to teens, I do not think that I would put it in the same category as the two-hour National Geographic special that filled the other two educational hours for NBC in the final months of 1999.

NBC is doing exactly what you are allowing it to do--making its own rules. The FCC has set a limit on the number of commercials that can be shown during children's programming. It does not seem coincidental that NBC gears all of its programming toward an older audience and in effect, avoids said standard. It is decisions like these that make me question a station's ability to judge what is in the "public interest, convenience and necessity."

This is why I and so many other television consumers are urging you to schedule public rule-making sessions. We would like to have a say about what is broadcast over the valuable airwaves that belong to all of us.

Sincerely,
Natalie Gallant
National Organization for Women
Boston, Massachusetts

February 28, 2000

William Kennard, Chair
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Dear Mr. Kennard,

As a concerned consumer and an activist for the National Organization for Women, I visited the Boston CBS Station WBZ on February 23, 2000 at approximately 1:30 PM. Managed by Edward Goldman, it is located at 1170 Soldiers Field Rd, Boston, MA 02134. Television in the Boston area, especially with the use of digital signals, has the capacity to do great things for our diverse community. I did not see that happening in my visit.. As Congress has given control of the airwaves over to the networks for free, they have the responsibility to use them for the greater good of the public they serve. Stations like WBZ currently keep careful records of what they call "Significant Programming" which is supposed to prove that they are making good use of the resources we have given them. The content of the "Significant Programming" file shows that WBZ simply isn't doing enough for the community.

Lack of programming addressing local issues and women's issues is especially disturbing. Most of these "programs" are actually 2-4 minute spots within a full day's worth of more common shows featuring violence and overflowing with negative race and sex stereotypes. What WBZ is doing is mostly positive, but they aren't doing enough.

The "Significant Programs" file is updated quarterly and the report I examined was dated December 31, 1999. It consisted of a list of descriptions of programs that the station considered significant, and each description included the length of the program and what time it ran on a weekly basis. A more specific list, detailing the exact topic for each week, was included at the back of the report. Included in this were such programs as "Consumer News", "I-Team Investigative Reports", "For Your Health", and "Centro". All of these programs were produced locally and lasted from two minutes to four and a half minutes, and are broadcast between one and ten times a week.

Other shows included in the Significant Programming file are nationally produced shows like Face the Nation, 60 Minutes, and 48 Hours. Detailed descriptions of the stories that WBZ felt were significant are included along with dates of broadcast.

The most interesting of the locally produced shows is "Centro", described as an "in-depth" exploration of Latino community issues. This seems like exactly the kind of programming the FCC wants to encourage: locally produced, informative, and of real interest to community members. However,

there is some question about how "in-depth" a program can be that only lasts four and a half minutes, and although no figures were provided, it seems unlikely that very many people see a program that airs once a week on Saturday at 7:50 AM.

Records from 1998 include a show called "Rap Around", a half hour show featuring discussions of relevant issues by and for teens aged 16 and under. This show used to air at 1 PM on Saturdays; unfortunately, this show featuring real teens and real issues seems to have disappeared from the WBZ schedule.

The "Significant Programming" file is legible and up-to-date, but its contents leave something to be desired. There is a dearth of locally produced programming that lasts longer than the average commercial break included in the WBZ lineup. Although the short programs listed seem to be of interest to the community and in the spirit of "public good", it simply isn't enough. Shows like "Centro" that are only minutes long could certainly be expanded, and shows of a similar nature reaching out to other ethnic groups in the area would be of interest to WBZ viewers.

"I-Team" claims to include local political news and is aired 10 times a week, but it is only 2-4 minutes long. Boston politics could easily fill an hour-long show every weekend, and such a show, if designed to highlight different areas of the city, would fill a gap in local news coverage.

Although WBZ is currently doing an adequate job, improvements could be made in scheduling. More local shows and community outreach can reasonably be expected from a station that receives such broad support from its viewers and liberal use of public airwaves. That is why I ask that you begin scheduling public rule-making sessions--so that myself and other community members' voices may be heard. The airwaves belong to all of us, and I would like to see that what is aired over them benefits all of us.

Sincerely,
Rachel Hull
National Organization for Women
Boston, Massachusetts

February 28, 2000

William Kennard, Chair
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Dear Mr. Kennard,

As a television viewer I am concerned about the quality of the programming presented to myself and other viewers. I would like to share my findings with you in an attempt to convince you that television stations need enforced guidelines so that they live up to the obligation of filling the "public interest, convenience, and necessity."

I decided to watch NBC's locally produced programming to see if I thought this particular station was fulfilling this requirement with regard to my local community--the city of Boston. Two programs that I watched, "Revista Hispana" and "Higher Ground," air from 6 to 6:30 on Sunday mornings. They are two of four programs that fill this time slot once a month. Each of these programs focuses on a particular minority group.

"Revista Hispana," which was on February 20 this month, is a program for the Hispanic population of Boston and is broadcast mostly in Spanish. Although I think this is a good idea, I think that it would be helpful to have a translation at the bottom of the screen so that English speaking Bostonians have a chance to learn about their Hispanic neighbors. A show like "Revista Hispana" could be used as an important tool in helping the Caucasian population to understand the issues that are pressing in minority communities. The people on the show consisted solely of Hispanic men--no women, Caucasians, or other minority groups. Though I think that having a show devoted to a particular minority group is important, I found it particularly disturbing that there were no Hispanic women on the show. Also seeing how these individuals interact with other groups could be important as well.

"Higher Ground," which I viewed on February 27, focuses on African American issues, and while they showed clips from interviews with men, the primary person that was being interviewed was female. The person conducting the interview was also female. I was pleased with this show and its dedication to minority views and values. I was also impressed that they not only included women in their broadcast, but had a woman leading the discussion.

Also on February 20 and 27, I attempted to view the two local programs Boston Common and Urban Update. These programs are scheduled at 11:30 a.m. and 12:00 p.m. respectively on Sunday. I succeeded in watching Urban Update on both Sundays. I was very disappointed to find however, that due to the broadcast of an NBA pre-game show on February 27, Urban update was shown at 11:30 and Boston Common was not on at all. On February 20, Urban Update dealt with the some important issues for the minority population of Boston, especially the African American population. It talked mostly about inner city happenings including urban housing, and an interracial Karate program. Boston Common, on the other hand, talked about more universal issues, like the changing structure of families, yet only had Caucasian representatives on the panel to discuss these issues. There were two women on the panel but not one representative of a racial minority. Because the show did bring up multicultural issues, I believe that it would have been more than fair, and in fact quite interesting, to include a person of color on the panel.

The next Sunday, February 27, Urban Update was again geared to the African American audience. The show was mostly about the life of Duke Ellington, legendary African American band leader. I was disappointed when two women who spoke at the beginning of the show, were all but abandoned later in the show when the focus was shifted to interviews only of men.

Though I have seen a few examples of fair representation of women and minorities on February 20 and 27, in general what I have seen in the publicly produced broadcasts of NBC Sundays is inconsistent representation of these groups. I also found it unsettling that people in my community cannot even rely on being able to see these publicly produced programs when they are scheduled. It is for this reason that I think the FCC should begin conducting public rule-making sessions so that myself and other television consumers may voice our opinions about what we believe is in our interest for broadcast over our airwaves.

Sincerely,

Andrea Kelly
National Organization for Women
Boston, Massachusetts

February 29, 2000

William Kennard, Chair
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Dear Mr. Kennard:

Local news programming is an extremely important way in which the public can learn about community happenings and concerns. Upon viewing two local programs recently, I became concerned that local television is not focused enough on local events and that they too often dwell on negative issues.

"Five on Five," a locally produced weekly ABC program that airs on Saturday, ran a show on February 13, 2000 that talked about a murder in Rhode Island, Hilary Clinton's Senate run and hate speech in pro sports. While these topics may be interesting and are certainly timely, they are covered in national news shows. They do not really fit the description of local and therefore should not be included in a broadcast of a show like "Five on Five."

"Chronicle" is another locally produced ABC program that airs every night from 7:30-8:00. On its February 10, 2000 show, it talked about three local murders. Again, interesting and timely, but on a program that runs for half an hour, perhaps "Chronicle" could have balanced this negative local news with coverage of some positive community happenings or non-violent community issues.

Another concern I had with both of these programs was the commercials each one contained. Obviously, stations need the financial support they get by airing commercials. However, I must ask myself what kind of control these advertisers have over the content of such programs. During these are local news programs, I would have expected to see more public service announcements, for they would seem more connected to the purpose of the programs. Perhaps paid commercials including those about furniture and car dealerships should be left for broadcast during network programming.

The power of television should be used to expand people's perceptions about the political, social, and cultural climate they live in; it should not dramatize, exploit or ignore it altogether. And above all this power should not be taken for granted. People should be able to see a fair representation of the world they live in, especially on the locally produced programming of their area. That is why I request that you hold public rule making sessions so that people can have a say about what is broadcast over our valuable airwaves. They belong to all of us!

Sincerely,
Alexandra Miller
National Organization for Women
Boston, Massachusetts

Ceasar McDowell
986 Walnut Street
Newton, MA 02461

March 1, 2000

William Kennard, Chair
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Dear Mr. Kennard:

Re: Comments on Digital Television

Television has been and will continue to be an important aspect of American culture. As such we are obligated to think carefully about the public service function of television and correspondingly, the public service obligations of television broadcasters. This obligation not only derives from the role of television in our society but also from broadcasters use of the airwaves which belong to the public. It is these obligations that I wish to address in these comments.

First a few things about myself and the context from which I make these comments. I have been associated with the worlds of media, education and community advocacy for almost 30 years. I have served as an Associate Superintendent of schools, and documentary filmmaker, and academic and the founder of several community-based organizations. But perhaps the most important perspective I bring to this issue is that of an African-American parent who has raised two children in this media rich age. These experiences have provided a specific lens through which I view and understand the public interest role of television in my own community (Boston) and the larger society.

When I first thought of submitting comments to the FCC, I started to pay particular attention to local broadcast behavior. This meant viewing news shows, the very few locally produced shows and of course the network shows. However, it became clear to me that I would not be able to mount a comprehensive review of current practice in order to bolster my position. What I

have decided to do instead is present you with a look at the issues that emerge for me as I engage the media in my daily life.

There are a few specifics that inform my advocacy for the public interest obligations of broadcasters. The FCC has a responsibility to the public to insure that the use of public resources for private interest returns some advantage to the general public. This I refer to as the public interest obligation. Moreover, in addition to the public's ownership of the airwaves, the sheer power of broadcast media in sustaining and building democracy also requires some public interest obligations. These obligations fall into three categories. One category is related to informing the public, another is to do no-harm to the public, and the final category is to support civic engagement.

I believe each of these categories has specific rules that can insure that broadcasters met their public service obligation.

Informing the Public

A few weeks ago a colleague took on the task of visiting several of the local TV stations in the Boston area to view their public record. Her visits provided her with a first hand experience of the ease and difficulty for the public to get information on how well stations are serving the public interest obligations. What was most apparent from her visit was that while the station keep a public file, the organization of the information and the presentation of the information made it relatively useless. Broadcasters need to be in relationship with the public. Moreover, the information they provide the public should be accessible to all of the different types of people who make up the public. I therefore recommend the following:

1. Ascertainment information and station compliance with the ascertainment process should be reported on a quarterly basis. The reporting should be available through the Internet, electronic subscription and through publication in the community's paper of record as well as the various ethnic presses.
2. All programming should be closed captioned and with descriptive services for the blind. This should particularly apply to any programming activity that is designated as fulfilling public interest obligations.

Doing No Harm

Three weeks ago in Providence, RI police mistakenly shot and killed an African-American policeman. The story headlined every news show in the greater Boston area. A week later in Newton, MA, a fire in an office complex left 5

people missing. It took 3 days to recover the bodies. In covering both of the stories every TV news program thought it important to not only cover the "facts of the story" but they also felt obligated to intrude on the personal loss of the family members. So intense was the intrusion that one family was featured night after night as they stood vigil over the recovery effort. The same was true with the family of the slain police officer.

This tendency to not allow people the dignity of their own grief is a form of voyeurism that does not rate as news coverage but instead is a sensationalism that robs grieving family members of a sense of privacy. It is uncalled for and adds nothing to our understanding of the story nor does it assist the family in its grief. These are just two examples of the way in which a broadcaster can "do harm". While it is hard to imagine regulatory structures that could minimize this particular harm, there are clear regulatory steps that can protect the most vulnerable in our society: Children.

1. Children should be protected from undue advertising; especially advertising that is disguised as programming.
2. There should be an independent rating system to assist parents and others in making accurate choices about their viewing habits. Digital broadcasters should be required to post ratings as to the sexual and violent nature of programming.
3. With the potential of digital technology to combine broadcast, telephone and Internet services, broadcasters must be required to protect the information of users. Accordingly consumers should be invested with the power to prevent the collection and sale of information related to their personal profile and their program or product choices.

Civic Engagement

In reviewing the public file from two stations it is clear that stations fulfill their public interest obligations by piecing together unrelated and often non-local programming. As a result, one station counted PSA for UNCEF, to MADD as their public service activity. While such PSA's are valuable they indicated that the stations are not inclined to build a comprehensive approach to keeping the public informed, especially on local issues. This nonchalant approach to civic engagement only serves to distance the public. This is further exacerbated in this election year. While every station has numerous stories on the presidential campaign, not one of our stations has an ongoing show for gathering and/or informing public discussion on the issues that should inform this election. Accordingly, the public is treated as a sidebar to the presidential race rather than the main player in a democracy. Accordingly, I recommend that:

1. Digital broadcasters should be required to set-aside channel space for non-commercial use. These channels should be used to support public service. The allocation of these channels should not relieve broadcasters of the primary public service obligations.
2. Digital broadcasters should be required to expand their public affairs programming to at least one hour per day per channel. In addition, broadcasters should use this opportunity to specifically create programs at the local level that open dialogue among the various populations of the communities.
3. Any broadcaster should be required to reflect the diversity of this nation in their programming, hiring, and management.

Finally, the most important request. If the FCC does not convene hearings it will serve to silence those of us concerned with these issues. More important, it will prevent the FCC from truly hearing the voice of the American people. I respectfully request that the FCC convene hearings on the public interest obligations of digital broadcasters.

I offer these recommendations in the hope that the power of digital television can be used to benefit the public interest. I believe that these recommendations and those offered by organizations like Citizens for Better TV can help us create a media system that is both responsive to the public while simultaneously profitable to the industry.

I thank you for your time and look forward to your announcement of the hearing process.

Sincerely,

Ceasar McDowell

Allen Perez
5 Walden Street, #3
Cambridge, MA 02140

Federal Communications Commissioners
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Dear Commissioners,

My name is Allen Perez and I am a member of two communities in Boston that local broadcasters underrepresent: the "Latino" and "liberal religious denominations" communities. I pose these two questions to the FCC, why is it that I must turn to Channel 19 to view local and international news for topics of interest regarding the Latino communities and why do local broadcasters neglect the valuable resources of the church when addressing issues of local interest? I have simple answers to these questions. Local broadcasters do not care and are not putting efforts into these areas. Most of the major local stations do not even have a community liaison like a community service director or coordinator. Public relations directors are far too busy handling the stations' reputations to truly be effective at the community level. An evening of watching my local broadcast stations reveals these findings which exemplify the above mentioned point:

3/29/00

Channel 7 News: not a single mention of Latino issues. (11pm news)

3/29/00

Channel 4 News: not a single mention of Latino issues. (Evening news)

4/02/ 00

Channel 5 News: not a single news of Latino issues. (Morning news)

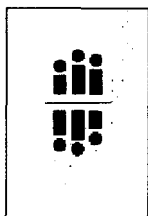
No mention at all of activities of liberal religious denominations, not necessarily Christians. Brief mentions to the role of the Christian Coalition in the Republican primaries. The Christian Right has enough TV programs. This is typical of the findings in the public files at the stations. Channel 7- WHDH had recorded into the files for the last quarter of 1999 that there was only "two" Latino news stories worthy enough for the programming logs.

Although I am not a member of The League of United Latin American Citizens (LULAC), the Mexican American Legal Defense and Education Fund (MALDEF), The National Association of Latino Elected and Appointed Officials (NALEO), or the National Puerto Rican Coalition (NPRC) all of whom are members of the People for Better TV coalition calling on the FCC to set guidelines for how broadcasters will serve the public. I, as a Latino individual would like to concur with these organizations. Surely, Boston can and should produce better local programming.

Thank you,

Allen Perez

Center for Information, Technology & Society



Furthering Advances in Communication, Computers, and Networks
for
Improved Education, Health, and Humanity

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Response to FCC Docket No. 99-360

"Public Interest Obligations TV Broadcast Licensees"

By: The Center for Information, Technology & Society (CITS)

Date: February 29, 2000

For the record, CITS is a 501(c)3 charitable nonprofit dedicated to improving all forms of communications that better society, culture, and knowledge.

Introduction: CITS was originally the Program for Information, Technology & Society at MIT. In 1986 the Center became a freestanding nonprofit. In 1996, the Director, Dr. W. Curtiss Priest, was recognized by Newsweek as "one of the 50 people who matter most on the Internet." The Center has worked closely with government agencies, including the U.S. Department of Education, in developing an Internet world that is informative and constructive for students in K-12 education. With the Corporation for Public Broadcasting, the Center has developed a web-based volunteer organization site. Links are provided at the Center's web site CyberTrails.Org

Preface: CITS recognizes that this country is witnessing a degree of privatization that is unparalleled in its history.

That this privatization has produced many efficiencies is also acknowledged.

Nonetheless, this organization does not believe that self-serving corporate interests will provide the healthy world for its citizens nor its children. Thus, it is firmly in support of a vigorous role for the FCC to champion the "public good."

That there are significant political forces that would dissolve the FCC also cannot be ignored. Such dreams that this entity should disappear are born out of the Friedman Chicago school of economics and elsewhere.

It is imperative that the FCC, including Chairman Kennard and the commissioners, resist the temptation to turn all solutions over to private markets.

This petitioner recognizes the issues raised, in particular by Commissioner Harold Furchgott-Roth. In response to those issues, this respondent asserts that the Communications Act of 1934 clearly states:

Nothing in this section shall be construed as relieving a television broadcasting station from its obligation to serve the public interest, convenience and necessity.

Commissioner Furchgott-Roth raises the excellent question as to how far this statutory language is to guide the FCC.

In the considered opinion of this respondent, we believe that the world of 1934 had just witnessed the "go-go" years of the 1920's and the domination of various industries such as telecommunications and railroads by the Bell Telephone Company and Mr. Morgan's banking interests.

Whether the "go-go" years of the '90s will transpire into the economic conditions that accompanied the Act of 1934 is yet to be seen. Regardless, there is a level of corporate dominated telecommunications that **must** be countervailed by

the FCC.

The "free market" bandwagon of this era must be balanced by the thoughtful and judicious considerations of the FCC — regardless of all political circumstances that may work to the contrary.

Cable Access As a Model

Cable access has been a serious and important mitigating response to the success of the cable television industry.

Every community, at every point in the renegotiation, strives to maintain this availability of public access.

Digital Television

The digital television migration will be no different.

Take 6 Mhz of bandwidth. With the advent of superior digital technologies, we find that there are choices. 6 Mhz can be devoted to an extremely high level of digital broadcast or the broadcaster can make trade-offs. They can broadcast 1 or 2 video transmissions of medium quality, and they can carve out the rest for commercial gain. They might provide this bandwidth for cellular expansion or they might expand this for "pay television." Either way, they are capitalizing on a **freely** given spectrum space.

It is this respondent's interpretation of the 1934 Act that all channels must respond to the public good. No channel may be subverted, solely for commercial gain — unless a commensurate amount of bandwidth and time is dedicated to the public interest on other channels. Further, we must avoid the process by which a station's public service is relegated to channels that are less watched. Such a process would weaken the station's ability to carry out the intent of the Act.

A visit to a local station — WBZ in Boston — recently acquired by CBS:

On February 29th, Dr. W. Curtiss Priest visited WBZ at 1170 Soldiers Field Rd., Boston, MA 02135

Access to the records was expeditious because of interest in the station's coverage of political events (it being the eve of the Presidential election.)

In the October 1 to December 31, 1999 period, the station had just three hours of children's programming, provided by CBS, consisting of:

- o Anatole
- o Blaster's Universe
- o Rescue Heroes
- o Flying Rhino Junior High
- o New Tales from the Cryptkeeper
- o Mythic Warriors: Guardians of the Legend

The description of these shows, as provided to the FCC, made each and every one of these sound pertinent to the need for quality children's programming.

In that two made references to children's book awards, Dr. Priest talked Prof. Mercier, who has served on children's award committees and is Associate Director of Children's Literature at Simmons College. To better address the actual shows, they both watched the episodes aired on March 4th.

Anatole (the mouse) is based on a book by Eve Titus which received a Caldecott honor book award in 1957. Of the various shows, this one presented its characters in various family contexts. Prof. Mercier said this was unusual for children's books; often parents are despatched to leave children to their own adventures. Dr. Priest found the interplay of characters to be warm, thoughtful, and somewhat charming. Nonetheless, there were various themes of

the episode that were bothersome. Anatole leaves his children with an uncle, Gaston. In the interplay amongst Gaston and the children, Gaston is made to look foolish as an adult. He "misunderstands" when Anatole mentions a 10 PM bedtime, saying, "I am always in bed by 10 PM." The children giggle at this point, placing them in a superior position. A minute later Gaston and the children are riding their bicycles (in France) and Gaston goes the wrong way. Again, the children take the upper hand. Only a while later, when one of the children claims to have done homework and Gaston notices otherwise, is Gaston portrayed as an observant parent. But, with regard to homework, the children all chime, "do we have to?" When the subject of health and exercise is briefly mentioned, Gaston says, "who said exercise is good for your health." So, various stereotypes are continued in the context of this show

1. Children are superior to their parents (a common theme across both television shows and television commercials in this era).
2. Learning (homework) is seen as some required evil rather than a positive activity of daily living.
3. Lack of exercise is excused.

Nonetheless, Prof. Mercier thought there were some distinctive pluses of Anatole. There was no gratuitous violence. There were two stories being told at the same time (one about the adventures of Anatole; the other about the children) and the ability for a viewer to follow a show constructed this way, helps children learn to follow such stories. There was 'literary parallelism' in the way the uncle becomes locked in the basement and the way Anatole and others get locked in a cage.

And, the moral of the story that "cheaters never prosper," while perhaps idealistic, does help affirm a 'good society.'

Blaster's Universe is based on a math game by that name. Here there are no parents, so there is no opportunity to portray family life. Instead, there are two, a girl and a boy as a team, who fight a villain who presents math puzzles. Dr. Priest found this show to be fundamentally disturbing. The team clearly, naturally excel in math. The foil in the story is a boy who plays pranks on his friends and only engages in math when he believes he is playing some kind of virtual game. The message of this subterfuge is that math is beyond kids like this, and only by 'candy coating it' will the child learn. The story writers are not to blame as much as is our society; the attitude that learning must be turned into a game to engage the learner runs deep in society's views about education and math.

Regardless, the show presented interesting math challenges and the dedication the boy/girl team showed in helping the prankster with learning math helps promote the goal of 'peer mentoring.'

Rescue Heros was, said Prof. Mercier, "preachy." Both this show, and the theme of Rhino Junior High were hyper-focussed on safety issues. The intent is clear: safety is good and a show that teaches safety will be considered good children's television. Prof. Mercier found the emphasis on safety was so heavy-handed as to make the show boring.

Regardless, the show demonstrated characters with a strong sense of teamwork and caring for each other. It is this kind of relational kindnesses that help a child see the value of caring for others.

The episode of Flying Rhino Junior High was about the visit of a fireman to the school and lectures about proper safety in school. The underlying message of the show is similar to that of Buffy the Vampire Slayer, that principals and teachers are controlling, preachy and buffoons and the students have to put up with this. Unfortunately, this depiction of our public education system rings true in many ways. But what are the effects of a children's show built around this premise? Perhaps children are permitted to laugh about it, thus giving them some release. Yet the show, in general, perpetuates the part of our educational system that many wish to improve.

If CBS' contribution to children's programming is confined to these six programs, we believe that much clearer evidence is needed of their merits. A clever writer can take almost any program on television and laud about its ability to, say, "improve social skills."

It is not that we insist on "blue ribbon standards," but we would like to see clear evidence that professionals involved with children's learning such as librarians, education faculty, and communications faculty are examining and shaping

these few shows for their positive effect on children. While some of the CBS shows credited "educational consultants," it may be that such consultants are working too much inside the framework of the show and not given the opportunity to restructure the shows.

And, have children been asked their evaluative opinion? For over thirty years, Educational Products Information Exchange has found publishers of learning resources seldom ask for evaluations from teachers or students. And, recently, the National Academy of Television Arts and Sciences has launched a project called "Creating Critical Viewers." The CBS shows would benefit from learner-evaluations as well as the advice from professionals mentioned above.

We encourage the FCC to not only assure there is sufficient children's television but to put into place a process by which these shows can be evaluated and improved.

Children's Programming in 1997 versus 1999 at WBZ (CBS):

The most telling difference between these two years is that, perhaps due to the acquisition by CBS, WBZ's programming for children dropped by 50%. In September 30, 1997 there were six hours of programming, and in the October 1997 report there were only three hours of programming.

This suggests that mergers and acquisitions do what many suspect — reduce coverage to the lowest commitment possible.

Equal Opportunity Employment:

Due to changes in the law, the last entry that accounted for the employment by WBZ by gender, race, etc. was date May 27, 1997

Change due to CBS reporting:

The only significant reporting change (other than the number of children's hours) was the inclusion of the dollar value of the Public Service Announcement (PSA) programming. While WBZ include great detail on PSA programming, it was only in CBS reporting that the first quarter of 1999 was shown to represent \$93,700 in outlays. What was not shown was what percentage this amount was to the overall budget.

Outside of Programming:

No information was found in the files that accounted for WBZ or CBS's public activities outside of programming.

Letters to the Station:

Letters to the station were dutifully filed in folders by month and year. However, there was no record of any action or response to these letters.

For example, there was a woman who wrote twice to express her dismay at the kinds of morning news she was receiving and details about who was providing it.

While these letters were very heart-felt, there was no indication that the letters made any impact. There were **no** responses to these letters in the file.

When the administrator for these files was asked about reply letters, the response was that these letters to the station might, or might not, be circulated in the appropriate divisions of the company. Whether anyone responded to these letters would be up to the individuals to whom the letters were first directed. In any case, no response was filed with the letters as part of the public record.

Immediate Recommendation to the FCC:

All letters to publicly underwritten stations **should** be responded to and all such responses should be included in the public record.

Summary comments by the Center for Information, Technology & Society:

1. All channels of public awarded spectrum space should serve the public interest
2. Each and every digital channel (and sub-channel) should serve the public interest. Shifting of materials to lesser watched channels or transmissions should not be permitted.
3. Stations should clearly indicate how they are adapting to public needs by not only receiving letters from the public, but also indicating how the "consumer voice" of the public is effecting programming decisions.
4. Stations and/or networks should work more closely with resources that understand the value of forms of children's education. Such clearinghouse resources might be the Center for the Study of Children's Literature at Simmons College, the Educational Products Information Exchange of Hampton Bays, NY, the Communications Department of Emerson College, and the American Teachers Association.
5. Cross ties should be formed between local Public Cable Access organizations and major television networks. Materials produced by Cable Access that have high merit, should be carried by major networks. This cross-fertilization will help reduce the gap between major network's need to pander to "American Interests" and shows that have sufficient local content and quality to attract viewers.
6. In general, the FCC should carefully study the programming attitudes and values of systems in Canada, the U.K. and France, to better understand, by "cross-country" comparison, what alternatives there are to the "American formula" for appealing to the Public.
7. The FCC should, within whatever 1st Amendment restrictions exist, attempt to shape American Television into a positive, ethically-based, humanizing, civilizing experience for its viewers. Parents of children of many ages would be pleased to exchange the V-chip for the opportunity to engage with superior programming that communicates community, interrelational values, and an aspiration for learning. The separation of church and state should not be interpreted as a separation of redeeming culture and state. Those who would close the FCC should be reminded that dehumanizing economists are those who "know the price of everything; and the value of nothing." The market process is no guarantee of a society worth living in; the role of nonprofits is particularly important during eras of transition as they often embody goals, virtues, and aspirations that can never be purchased and are never for sale.

Perhaps if stations and networks were required to write descriptive materials about the redeeming aspects of all of its programming (as they do already to justify the redeeming aspects of their three hours of children's television), this would be a step in the right direction. Such a process would, hopefully, reveal to reviewers both inside and outside of television firms what news and programs are inspiring and empowering and what news and programs are simply pandering to base, debasing interests as epitomized by the presence of sex and violence without meaningful context.

8. The FCC should contract for studies of the effects of media concentration. As found above, WBZ as an independent station carried twice the level of children's programming prior to its acquisition by CBS. Under increased pressures from competition from various sources, including cable and satellite, there may be a "rush to the bottom" in terms of meeting the goals of "must carry" and other PSA goals voiced in statute and the regulations by the FCC.

In that there are both positive and negative effects of media concentration, the FCC should not expect that any one study can be the basis for policy. It is well known that such studies vary as widely as the implicit agendas embodied in firms and institutions that conduct such studies. These differences are not to be avoided, but rather

used to help illuminate the issues surrounding the effects of communication; the effects of the for-profit drive; and the voices of those who see defects in the current (and future) of analog and digital television. Only with open discussion (such as this NOI) and government-provided resources for such studies can good television for a better society be assured. Corporate interests are always well funded; in contrast, those that would or can speak to non-corporate interests are often teetering on the edge of financial insolvency. And while insolvency is a symptom in the "business world" that this entity should go out of business; insolvency in the not for profit sector can often occur simply by the process where corporations co-opt government's role in funding activities — activities that help ensure that societal losses, damages, or lost opportunities due to "market-failure," are not allowed to happen (see Appendix A).

Respectfully submitted,

Dr. W. Curtiss Priest, Director

Appendix A

Inherent causes of "market-failure" associated with Information and Communication

For one discussion on market-failure in the provision of communication and information see:
www.eff.org/pub/Groups/CITS/Reports/cits_nii_framework_ota.report — especially these sections:

- 2.2 Market-Failure Related Characteristics of Information
 - 2.1 Market Related Characteristics of Information as a Commodity
 - 2.1.1 Intrinsic Co-production
 - 2.1.2 Time Constrained Consumption of Information
 - 2.1.3 High Investment to Reproduction Cost Ratios of Information
 - 2.1.4 Relevance of Information More Variable Across Consumers
 - 2.2 Market-Failure Related Characteristics of Information
 - 2.2.1 Public Good Characteristics of Information
 - 2.2.1.1 Inappropriability
 - 2.2.1.2 Non-depletability
 - 2.2.2 Externalities (expected and unintended)
 - 2.2.3 Indivisibilities (of supply)
 - 2.2.4 Economies of Scale and Scope (of production)
 - 2.2.5 Inherent Uncertainty and Risk in Information Production
 - 2.2.6 Information/Knowledge About the Information
 - 2.2.7 Intangibility (of benefits or values)
 - 2.2.8 Transaction Costs and Information
 - 2.2.9 Equity/Distribution Considerations (related to Universal Service)
 - 2.2.10 Network Externalities
 - 2.3 Non-market Related Characteristics of Information
 - 2.3.1 High Intrinsic Relationship to Human Welfare
 - 2.3.2 High Intrinsic Relationship to Issues of Freedom and Privacy

Date: Tue, 29 Feb 2000

From: stephen provizer <improviz@gis.net>

Feb, 2000

Dear Commissioner:

I am director of an organization that pays a great deal of attention to television programming that springs from and deals with issues of importance to our community. Such programming, unfortunately, is very difficult to find. Such, at least, was the anecdotal consensus of our members and recent visits to two of Boston's major television outlets did nothing to alter this impression.

The two stations we visited were WHDH, channel 7 and WSBK, channel 38. Both are local affiliates of national broadcasting corporations-NBC and UPN respectively-and both can be considered "major" stations. Their local inspection files were a study in inattentiveness to local concerns.

WHDH had ONE locally produced public affairs program, which aired at 6:30 AM; no doubt for maximum viewer impact. This station had NO programming for young children under 6 years old and, in fact, no community outreach director at all. Generally speaking, the files were in a chaotic state and 2 PSA's that were listed as targeting youth under 16 included "designated driver" and "teacher recruitment."

WSBK, for its part, has no newscast of any kind, local or national. They air only 2 locally-produced public affairs shows, one of which, aimed toward youth, airs twice a year. They also have no young children's programming. The person in charge of producing what local programming does exist is both producer and on-air talent and there is no plan in place to solicit ideas or feedback from the community.

It is our belief that these stations represent a norm rather than an aberration and we hope that the FCC bears this sorry performance in mind as it deliberates on what responsibilities need to be born by broadcasters as the country proceeds to implement digital television.

Sincerely,

Stephen Provizer
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